

(2) TABLE OF SECTIONS.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1030 the following:

“1030A. Aggravated damage to computers used to operate or access critical systems and assets.”.

(e) STOPPING DEALING IN BOTNETS; FORTUITURE.—Section 1030 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (7), by adding “or” at the end; and

(B) by inserting after paragraph (7) the following:

“(8) intentionally deals in the means of access to a protected computer, if—

“(A) the dealer knows or has reason to know the protected computer has been damaged in a manner prohibited by this section; and

“(B) the promise or agreement to pay for the means of access is made by, or on behalf of, a person the dealer knows or has reason to know intends to use the means of access to—

“(i) damage a protected computer in a manner prohibited by this section; or

“(ii) violate section 1037 or 1343;”;

(2) in subsection (c)(3)—

(A) in subparagraph (A), by striking “(a)(4) or (a)(7)” and inserting “(a)(4), (a)(7), or (a)(8)”;

(B) in subparagraph (B), by striking “(a)(4), or (a)(7)” and inserting “(a)(4), (a)(7), or (a)(8)”;

(3) in subsection (e)—

(A) in paragraph (13), by striking “and” at the end;

(B) in paragraph (14), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(15) the term ‘deal’ means transfer, or otherwise dispose of, to another as consideration for the receipt of, or as consideration for a promise or agreement to pay, anything of pecuniary value.”;

(4) in subsection (g), in the first sentence, by inserting “, except for a violation of subsection (a)(8),” after “of this section”; and

(5) by striking subsection (i) and inserting the following:

“(i) CRIMINAL FORFEITURE.—

“(1) IN GENERAL.—The court, in imposing a sentence on any person convicted of a violation of this section, or convicted of conspiracy to violate this section, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person forfeit to the United States—

“(A) such person’s interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and

“(B) any property, real or personal, constituting or derived from any gross proceeds, or any property traceable to such property, that such person obtained, directly or indirectly, as a result of such violation.

“(2) APPLICABLE PROVISIONS.—The criminal forfeiture of property under this subsection, including any seizure and disposition of the property, and any related judicial proceeding, shall be governed by the procedures of section 413 of the Controlled Substances Act (21 U.S.C. 853), except subsection (d) of that section.”.

**SA 4190.** Mr. THUNE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

**SEC. 1283. NOTIFICATION OF ABANDONED UNITED STATES MILITARY EQUIPMENT USED IN TERRORIST ATTACKS.**

(a) IN GENERAL.—Not later than 30 days after any element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003) determines that United States military equipment abandoned or otherwise left unsecured in Afghanistan, Iraq, or Syria has been used in a terrorist attack against the United States, allies or partners of the United States, or local populations, the Director of National Intelligence shall submit to the appropriate committees of Congress a written notification of such determination.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Select Committee on Intelligence, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

**SA 4191.** Mr. THUNE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

**SEC. 607. USE OF FINANCIAL SERVICES PROVIDERS IN PROVISION OF FINANCIAL LITERACY TRAINING FOR MEMBERS OF THE ARMED FORCES AT MILITARY INSTALLATIONS OUTSIDE THE UNITED STATES.**

Section 992 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) TRAINING FOR MEMBERS STATIONED OVERSEAS.—

“(1) IN GENERAL.—As part of the financial literacy training provided under this section to members of the armed forces stationed or deployed at an installation outside the United States, the commander of such installation may, in the commander’s discretion, permit representatives of financial services providers serving, or intending to serve, such members to participate in such training, including in orientation briefings regularly scheduled for members newly arriving at such installation.

“(2) NO ENDORSEMENT.—In permitting representatives to participate in training and orientation briefings pursuant to paragraph (1), a commander may not endorse any financial services provider or the services provided by such provider.

“(3) FINANCIAL SERVICES PROVIDER DEFINED.—In this subsection, the term ‘financial services provider’ means the following:

“(A) A financial institution, insurance company, or broker-dealer that is licensed and regulated by the United States or a State.

“(B) A money service business that is—

“(i) registered with the Financial Crimes Enforcement Network (FinCEN) of the Department of the Treasury; and

“(ii) licensed and regulated by the United States or a State.

“(C) The host-nation agent of a money service business described in subparagraph (B).”.

**SA 4192.** Mr. THUNE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

**SEC. 376. TRANSFER OF EXCESS DEPARTMENT OF DEFENSE REMOTELY PILOTED AIRCRAFT AND RELATED EQUIPMENT TO DEPARTMENT OF HOMELAND SECURITY FOR U.S. CUSTOMS AND BORDER PATROL PURPOSES AND DEPARTMENT OF AGRICULTURE FOR U.S. FOREST SERVICE PURPOSES.**

(a) OFFER OF FIRST REFUSAL OUTSIDE DoD.—

(1) IN GENERAL.—Upon a determination that aircraft or equipment specified in subsection (c) is excess to the requirements of all components of the Department of Defense, the Secretary of Defense shall offer to the Secretary of Homeland Security to transfer such aircraft or equipment to the Secretary of Homeland Security for use by U.S. Customs and Border Patrol.

(2) TIMING OF OFFER.—Any offer under paragraph (1) for aircraft or equipment shall be made before such aircraft or equipment is otherwise disposed of outside the Department of Defense.

(b) OFFER OF SECOND REFUSAL OUTSIDE DoD.—

(1) IN GENERAL.—Upon a determination that aircraft or equipment offered to the Secretary of Homeland Security under subsection (a) will not be accepted by the Secretary of Homeland Security in accordance with that subsection, the Secretary of Defense shall offer to the Secretary of Agriculture to transfer such aircraft or equipment to the Secretary of Agriculture for use by the Forest Service for wildland fire management purposes.

(2) TIMING OF OFFER.—Any offer under paragraph (1) for aircraft or equipment shall be made before such aircraft or equipment is otherwise disposed of outside the Department of Defense.

(c) AIRCRAFT AND EQUIPMENT.—The aircraft and equipment specified in this subsection is the following:

(1) Retired MQ-1 Predator, MQ-9 Reaper, RQ-4 Global Hawk, or other remotely piloted aircraft that are excess to the requirements of the military departments.

(2) Initial spare MQ-1 Predator, MQ-9 Reaper, RQ-4 Global Hawk, or other remotely piloted aircraft that are excess to the requirements of the military departments.

(3) Ground support equipment of the military departments for MQ-1 Predator MQ-9 Reaper, RQ-4 Global Hawk, or other remotely piloted aircraft that are excess to the requirements of the military departments.

## (d) TRANSFER.—

(1) IN GENERAL.—If the Secretary of Homeland Security accepts an offer under subsection (a), or the Secretary of Agriculture accepts an offer under subsection (b), the Secretary of the military department having jurisdiction over the aircraft or equipment concerned shall transfer such aircraft or equipment to the Secretary of Homeland Security or the Secretary of Agriculture, as applicable.

(2) COSTS.—The cost of any aircraft or equipment transferred under paragraph (1), and the cost of transfer, shall be borne by the Secretary of Homeland Security or the Secretary of Agriculture, as applicable.

## (e) DEMILITARIZATION.—

(1) IN GENERAL.—Any aircraft or equipment transferred under this section shall be demilitarized before transfer.

(2) COSTS.—The cost of demilitarization under paragraph (1) shall be borne by the Department of Defense.

## (f) USE OF TRANSFERRED AIRCRAFT AND EQUIPMENT.—

(1) DEPARTMENT OF HOMELAND SECURITY.—Any aircraft or equipment transferred to the Secretary of Homeland Security under subsection (a) shall be used by the Commissioner of U.S. Customs and Border Patrol for border security, enforcement of the immigration laws, and related purposes.

(2) DEPARTMENT OF AGRICULTURE.—Any aircraft or equipment transferred to the Secretary of Agriculture under subsection (b) shall be used by the Chief of the U.S. Forest Service for wildland fire management and related purposes.

**SA 4193.** Mr. THUNE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XV, add the following:

**SEC. 1548. ENERGY RESILIENCY FOR CERTAIN NUCLEAR MISSIONS.**

(a) AUTHORIZATION.—The Assistant Secretary of the Air Force for Installations, Environment, and Energy shall invest in the resiliency and redundancy of the electricity supply of covered Air Force installations for the purpose of supporting the critical mission capability of those installations during a failure of the electric grid, a cyberattack, or a natural disaster.

## (b) REQUEST FOR PROPOSALS FOR ELECTRICITY STORAGE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary shall issue a request for proposals for the installation of not less than 2,000 kWh of electricity storage at each covered Air Force installation.

(2) REQUIREMENTS.—The request for proposals under paragraph (1) shall specify the following:

(A) The electricity storage described in paragraph (1) shall be available to immediately support the nuclear mission of the covered Air Force installation in the event of a power failure.

(B) The use of the electricity storage shall be prioritized for the nuclear mission in the event of a power failure until electricity is restored.

(C) The electricity storage may be used to partially meet energy demand at the instal-

lation during times of high energy demand and high energy prices, commonly known as “peak shaving”.

## (c) REQUEST FOR PROPOSALS FOR SECONDARY ENERGY SOURCES.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Assistant Secretary shall issue a request for proposals for the installation of, or grid connection to, a secondary source of energy to power land-based nuclear missions of covered Air Force installations in the event of a disruption of the primary electricity supply.

(2) REQUIREMENTS.—The request for proposals under paragraph (1) shall specify the following:

(A) Secondary sources of energy described in paragraph (1) may include sources of generation on a covered Air Force installation, such as natural gas or liquid fuel generators, connections to an electric grid separate from the primary energy provider, and renewable energy paired with storage separate from storage provided pursuant to subsection (b).

(B) The use of secondary sources of energy shall be prioritized to sustain the nuclear mission and to support other functions of the covered Air Force installation in the event of an electric power disruption.

(C) A secondary source of energy may be utilized to power commercial utility operations as required by the energy provider in times in which there is not an energy disruption affecting the nuclear mission of the covered Air Force installation, if doing so does not diminish the ability of the secondary source to provide emergency power.

## (d) DEFINITIONS.—In this section:

(1) COVERED AIR FORCE INSTALLATION.—The term “covered Air Force installation” means an Air Force installation that hosts or is planned to host an operational nuclear mission that is a component of the land-based leg of the nuclear triad, particularly nuclear-capable bombers.

(2) EMERGENCY POWER.—The term “emergency power” means any electricity necessary to operate the nuclear mission of a covered Air Force installation in the event of disruption of the primary electricity supply.

**SA 4194.** Mr. THUNE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

**SEC. 376. COST-SHARING AGREEMENT FOR STATE AND FEDERAL COSTS FOR RIFLE TRAINING RANGE FOR AIR FORCE SECURITY FORCES.**

(a) AUTHORIZATION.—The Secretary may enter into a cost-sharing agreement with a State for the purposes of establishing a rifle training range for the Air Force Security Forces.

## (b) REQUEST FOR PROPOSAL.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall issue to all States a request for proposal for a cost-sharing agreement under subsection (a)

(2) ELEMENTS OF PROPOSALS.—In reviewing proposals submitted by States under paragraph (1) the Secretary shall consider—

(A) training requirements of current and anticipated Air Force Security Forces;

(B) cost savings or cost avoidance concerning travel, accommodations, and other costs related to current training activities of the Air Force Security Forces;

(C) the benefits of the proposal to other requirements of the Department of Defense or another Federal agency;

(D) the benefits of the proposal to each State; and

(E) the cost-sharing arrangement proposed by the State.

## (c) AUTHORIZATION OF FUNDS.—

(1) AUTHORIZATION OF LAND ACQUISITION.—There is authorized to be appropriated to the Secretary \$10,000,000 to be used by the Secretary for the purposes of land acquisition to carry out this section.

(2) AUGMENTATION OF RIFLE TRAINING RANGE.—There is authorized to be appropriated to the Secretary such funds as may be necessary to augment the rifle training range authorized under subsection (a) as necessary to support training requirements of the Air Force Security Forces.

(3) SOLICITATION OF ADDITIONAL FUNDS.—The Secretary may solicit additional funds from another military department or Federal agency to defray acquisition and operational costs under this section.

(d) SECRETARY DEFINED.—In this section, the term “Secretary” means the Secretary of the Air Force.

**SA 4195.** Mr. THUNE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

**SEC. 607. FUEL CHOICE AT COMMISSARIES AND EXCHANGE STORES.**

Not later than one year after the date of the enactment of this Act, each commissary or exchange store located on a military installation in the United States or any territory or possession of the United States that offers gasoline for commercial sale shall offer the sale of at least one fuel that contains not less than 15 percent ethanol.

**SA 4196.** Mr. MENENDEZ (for himself, Mrs. FEINSTEIN, Mr. PADILLA, Mr. WARNOCK, Mrs. GILLIBRAND, Mr. BOOKER, Mr. VAN HOLLEN, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . SUBMISSION OF DATA RELATING TO DIVERSITY BY ISSUERS; DIVERSITY ADVISORY GROUP.**

(a) IN GENERAL.—Section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m) is amended by adding at the end the following: “(s) SUBMISSION OF DATA RELATING TO DIVERSITY.—